

MINUTES

THE INDIANA PLUMBING COMMISSION

Meeting Held
Wednesday, May 27, 2009

Indiana Government Center-South
402 West Washington Street, Room W072
Indianapolis, Indiana

I. REVIEW OF APPLICATIONS

The Commission members reviewed applications until 9:30 a.m.

II. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Mr. Ciriello called the meeting to order at 9:30 a.m. in Conference Center Room W072, 402 West Washington Street, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-28.5-1.

Members Present:

William Ciriello, Chairman
Robert Synko, Secretary
John Van Cleve
Owen Stephens
Eric Ott

Members Not Present:

Matt Buczolic

State Officials Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency
Crystal Heard, Assistant Board Director, Indiana Professional Licensing Agency
Julie Alexander, Advisory Counsel, Office of the Attorney General

III. ADOPTION OF THE AGENDA

Board Action: A motion was made to approve the agenda as amended.

Stephens/Ott
Motion carried 5/0/0

IV. ADOPTION OF THE MINUTES FROM MARCH 25, 2009 MEETING OF THE COMMISSION

Board Action: A motion was made to adopt the minutes.

Stephens/Van Cleve
Motion carried 5/0/0

V. PERSONAL APPEARANCES

A. John C. Meyer

Mr. Meyer appeared before the commission to have his contractor's license reinstated. His license lapsed in 2003, although he has not been plumbing during this time. No one in his company has a plumbing contractor license. He sub-contracts his plumbing to other plumbing contractors. The

commission recommends that he and/or one of his sons take the contractor exam. He is eligible, but they are not sure his sons are eligible.

Board Action: A motion was made to reinstate the license on indefinite probation. He must complete 8 hours of CE from an approved school and get the hours in code and licensing.

Van Cleve/Ott
Motion carried 5/0/0

B. Donald Reuter

Mr. Reuter appeared before the commission to have his contractor's license reinstated. His license lapsed in 2001. He had been plumbing for Godby without a license when he recognized that his license was expired.

Board Action: A motion was made to reinstate the license on indefinite probation until he either passes the journeyman plumber or plumbing contractor exam and takes 20 hours of CE (on the code and licensing to be taken from an approved school) within one year.

Van Cleve/Stephens
Motion carried 5/0/0

C. Phillip Beal

Mr. Beal appeared before the commission to have his contractor's license reinstated. His license lapsed in 2003. He did plumb during this time.

Board Action: A motion was made to reinstate the license on indefinite probation, and he must complete 20 hours of CE (on the code and licensing to be taken from an approved school) within one year before his license can be reinstated.

Stephens/Ott
Motion carried 5/0/0

D. Gregory Knue

Currently, he works for TP Mechanical based out of Cincinnati, Ohio. He has not been plumbing in Indiana.

Board Action: A motion was made to grant the reinstatement of the license.

Van Cleve/Ott
Motion carried 5/0/0

E. Damon Moore

Mr. Moore appeared before the commission to have his journeyman's license reinstated. His license lapsed in 1997. He did plumb during this time.

Board Action: A motion was made to reinstate the license on indefinite probation. He must complete 20 hours of CE (on the code and licensing to be taken from an approved school) to be completed within the one year or he must take and pass the exam.

Stephens/Van Cleve
Motion carried 5/0/0

VI. ADMINISTRATIVE HEARINGS

A. In the Matter of the Application of Darrin Ward

Cause No.: IPC 09-04

Re: Petition for Review of Denial Admission to the Journeyman Plumber Examination

Parties Present:

Darrin Ward was present, without counsel.
No one was present on behalf of the State.

Board Members Present:

Bill Ciriello, Hearing Officer
Jon Van Cleve
Eric Ott
Owen Stephens
Robert Synko

Witnesses:

Mr. Ward
Jill Startzman

Case Summary: Mr. Ward was in school in Texas, but was not licensed in Texas nor did he complete his apprenticeship program before he moved back to Indiana. He must complete an apprenticeship program in order to be eligible to take the exam according to IC 25-28.5-1-12.

Board Action: A motion was made to affirm the denial of his application for examination.

Stephens/Ott
Motion carried 5/0/0

B. In the Matter of Application of Charles Moon

Cause No.: IPC 09-06

Re: Re: Petition for Review of Denial of Admission to the Journeyman Plumber Examination

Parties Present:

Charles Moon was present, without counsel.
No one was present on behalf of the State.

Board Members Present:

Bill Ciriello, Hearing Officer
Jon Van Cleve
Eric Ott
Owen Stephens
Robert Synko

Witnesses:

Mr. Moon

Case Summary: He plumbed for a small "mom & pop" company in California, but there is no requirement for licensure in California. He does not have a license in another state.

Board Action: A motion was made to affirm the denial of his application for examination.

Van Cleve/Synko
Motion carried 5/0/0

VII. PETITIONS FOR REVIEW

A. William Cavinder
PLM Minutes
May 27, 2009

Board Action: A motion was made to grant the petition for review and set this matter for a hearing before the commission.

Stephens/Van Cleve
Motion carried 5/0/0

B. Larry Glass

Board Action: A motion was made to deny his petition for review, because he only wants to take the exam on more time and he still has one attempt left. Staff is to schedule him for another exam attempt as a plumbing contractor.

Stephens/Ott
Motion carried 5/0/0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDER

A. In the Matter of Timothy Holtman

Cause No.: IPC 08-21
Re: Motion to Dismiss

B. In the Matter of ARS Service Express

Cause No.: IPC 08-19
Re: Motion to Dismiss

C. In the Matter of Bruce Mayer

Cause No.: IPC 08-17
Re: Motion to Dismiss

D. In the Matter of Steve Jenkins

Cause No.: IPC 08-18
Re: Motion to Dismiss

E. In the Matter of Franklin Gazzam

Cause No.: IPC 08-20
Re: Motion to Dismiss

Board Action: A motion was made to grant the motions to dismiss the complaints listed above lettered A through E.

Stephens/Synko
Motion carried 5/0/0

F. In the Matter of the Application of John Shepherd

Cause No.: IPC 09-08
Re: Petition for Review of Denial of licensure as journeyman plumber due to examination failure
(*Withdrawal*)

G. In the Matter of the Application of Nathan Lee

Cause No.: IPC 09-05
Re: Petition for Review of Denial of licensure as journeyman plumber due to examination failure
(*Withdrawal*)

Board Action: A motion was made to accept the withdrawal of both petitions for review listed above and submitted by John Shepherd and Nathan Lee respectively.

Stephens/Ott

Motion carried 5/0/0

IX. NOTICE OF PROPOSED DEFAULT

A. In the Matter of Max Long

Cause No.: IPC 09-03
Re: Notice of Proposed Default
(*Objection filed*)

Board Action: A motion was made to take official notice of the objection and schedule a hearing on the matter for next commission meeting.

Stephens/Van Cleve
Motion carried 5/0/0

B. In the Matter of Jeff Skirvin

Cause No.: IPC 08-12
Re: Notice of Proposed Default

Board Action: A motion was made to find him guilty of violating Count I and Count II.

Van Cleve/Stephens
Motion carried 5/0/0

Board Action: A motion was made to suspend the licenses indefinitely, and he is ordered to pay restitution to the customer of record in the amount of \$1325.00 and to pay the court costs of this proceeding prior to petitioning for reinstatement. He is not eligible to petition for reinstatement for six (6) months.

Van Cleve/Ott
Motion carried 5/0/0

X. CONSIDERATION OF ADMINISTRATIVE LAW JUDGE ORDERS

None

XI. EXAMINATION LICENSURE/UNLICENSED PRACTICE

None

X. APPLICATIONS FOR APPROVAL – PLUMBING APPRENTICE SCHOOL

None

XI. APPLICATIONS FOR LICENSURE

Board Action: A motion was made and seconded to approve all recommendations and decisions made by the Commission members on applications for licensure that were reviewed throughout the Commission meeting.

Synko/Stephens
Motion carried 5/0/0

XII. REVIEW OF PROBATIONARY REPORTS

None

XIII. DISCUSSION

- A. Statutes and Rules
Re: Possible Modifications

Nothing was discussed.

XIV. BOARD DIRECTOR'S REPORT

- A. Outsourcing of Exam – Status and Exam Schedule

We are scheduled to go live with the exam on August 1st.

- B. Agendas – We will no longer provide hard copy agendas to commission members. Please bring your laptop or your printed out copy.

XV. OLD/NEW BUSINESS

None

XVI. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the Indiana Plumbing Commission adjourned at 12:27 p.m.



Aug 31, 2009

**William Ciriello – Chairman
Indiana Plumbing Commission**

Date